

**Background:**

The Council will review the minutes from the May 5, 2017, Council meeting and the May 4, 2017, Committee of the Whole meeting.

**Council — Agenda Item 3****Expected Action:**

The Council will review, revise as appropriate, and approve.

## **COUNCIL MEETING**

### **May 5, 2017 — DRAFT MINUTES**

#### Council Members Present

Mary Durham, Council Chair  
Hunter Adkins  
Lisa Akers-Owen, HHSC/Older Americans Act  
Kimberly Blackmon  
Paula Brunson,  
TWC/Vocational Rehabilitation  
Gladys Cortez  
Kristen Cox  
Stephen Gersuk  
Rachel Jew, DSHS/Maternal-Child Health  
Scott McAvoy  
Michael Peace  
Amy Sharp, TCDS  
Jami Snyder, HHSC/Medicaid  
Meagan Sumner, A&M — CDD  
Lora Taylor  
John Thomas  
Rick Tisch

#### Council Members Absent

Kristine Clark  
Mateo Delgado  
Mary Faithfull, DRTX  
Ruth Mason  
Dana Perry  
Brandon Pharris  
Ron Roberts, TEA/IDEA  
David Taylor

#### Guests Present

Chris Botello  
Isabel Evans  
Brooke Hohfield  
Annessa Lewis  
Alexandra Noble  
Nina Zuna – TCDS

#### Staff Present

Beth Stalvey, Executive Director  
Martha Cantu  
Joanna Cordry  
Cynthia Ellison  
Wendy Jones  
Danny Fikac  
Radames Fuentes  
Linda Logan  
Jessica Ramos  
Joshua Ryf  
Koren Vogel

#### **Call To Order**

The Texas Council for Developmental Disabilities convened on Friday, May 5, 2017, in the San Gabriel Ballroom of the Sheraton Georgetown Texas Hotel & Conference Center, 1101 Woodlawn Avenue, Georgetown, TX 78628. Council Chair Mary Durham called the meeting to order at 9:06 AM.

#### **1. Introductions**

Council members, staff and guests were introduced. It was noted that Paula Brunson was present as a representative from Texas Workforce Commission/Vocational Rehabilitation Act but is not a voting member.

#### **2. Public Comments**

No public comments were offered.

#### **3. Consent Items**

Chair Durham reviewed consent items including the minutes from the February 10, 2017, Council meeting and February 9, 2017, Committee of the Whole meeting and the excused absences of Kristine Clark; Mateo Delgado; Mary Faithfull, Disability Rights

Texas; Ruth Mason; Dana Perry; Brandon Pharris; Ron Roberts, Texas Education Agency (TEA); and David Taylor.

**MOTION:** To approve the minutes of the February 10, 2017 Council meeting and February 9, 2017, Committee of the Whole meeting as well as the excused absences as noted.

**MADE BY:** Lora Taylor

**SECOND:** Rick Tisch

The motion **passed** unanimously. Chair Durham stressed the importance of attendance to maintain quorum.

4. **Chair and Executive Director's Report**

Chair Durham reported that Kristen Cox will be serving on the Public Policy Committee following her term as Council Vice-Chair.

Durham reported that membership vacancies and expired terms have not been addressed with the Governor's Appointments Office. She noted that appointments requiring Senate approval take priority during the legislative session. She also noted that staff from the Governor's office have indicated that many applications to serve on the Council do not actually meet membership requirements.

Durham introduced Nina Zuna and Jami Snyder who was recently appointed as the alternate representative from the Texas Center for Disability Studies. Zuna has attended orientation and is therefore eligible to vote.

Executive Director Beth Stalvey introduced Radames Fuentes who began employment as a TCDD Grants Management Specialist in late April. Stalvey also recognized TCDD Executive Assistant Koren Vogel for 15 years of service with the agency.

Stalvey reported the Partners in Policymaking project has closed the application period on May 1, 2017 with 145 applications received. 35 participants and 10 alternates will be selected from this application pool. The project staff will first conduct a technical review of the applications. An independent review panel will then narrow the applications by determining "yes", "no" or "alternate potential" for each applicant. Then a team of TCDD staff and project staff will make the final selections. Classes will begin in August.

Stalvey reviewed a list of upcoming conferences and events in which she, staff, and Council members will participate in the upcoming quarter. The Disability Leadership Institute will take place in Houston on May 8–12, 2017. Council member Scott McAvoy has indicated that he is attending this event. Stalvey will participate as a mentor in the National Association of Councils on Developmental Disabilities (NACDD) new executive

director orientation in Washington, DC on May 15–16, 2017 which provides additional opportunities to learn about changes to federal reporting requirements. Stalvey will participate in the American Association of Developmental Medicine and Dentistry and TCDD will likely have an exhibit booth at the conference in Houston on June 2-4, 2017. Stalvey has also been invited to participate in a Spark Initiative Conversation on Informed and Supported Decision Making. This is an NACDD partnership event with Optum that takes place in Minneapolis, MN on June 20–21, 2017. Stalvey and Planning Director Joanna Cordry will attend the NACDD Conference and Administration on Intellectual and Developmental Disabilities (AIDD) workshop in Salt Lake City on July 11–14, 2017. Council Vice-Chair John Thomas and Kristen Cox will also attend the NACDD conference. It was also noted that two TCDD grantees will present their projects at this conference. Stalvey will also participate in the closing panel of the American Association on Intellectual and Developmental Disabilities — Texas Chapter (AAIDD-TX) convention in Houston on July 28, 2017. TCDD will also have an exhibit booth at this event.

Stalvey, Durham, Project Development Committee Chair Gladys Cortez and Grants Management Specialist Wendy Jones recently attended the final graduation for Project Hire in Edinburg, TX. Participants expressed a deep appreciation for TCDD funding and are looking for ways to continue the project's activities through other funding.

#### 5. **Future Activities for State Plan Implementation**

Project Development Committee Chair Cortez reported on Committee discussion of future grant activities to implement the state plan. The first executive summary discussed was Local Leadership Development and Advocacy Training. This project would be for self-advocate groups and would be targeted to rural and underserved areas. It was also noted that additional funding may be needed if the project manager is a person with an intellectual, developmental or other disability and additional funding was designated for accommodations that an organization may not be able to afford.

**MOTION:** To recommend approval of funding of up to \$75,000 for up to five years, for one Local Leadership and Advocacy Training project to be implemented by a local self-advocacy organization, to include the possibility of receiving additional funds up to \$25,000 to provide reasonable accommodations to Project Directors or Project Coordinators who have a developmental disability if they are necessary and exceed the amount the group can afford.

**MADE BY:** Gladys Cortez for the Project Development Committee. (motions from Committee do not need a second)

The motion **passed** unanimously. (Attachment 1)

Cortez then reported on discussions of the executive summary for Developmental

Disabilities Network Partners Collaborative on the impact of Medicaid Services and Supports. TCDD would collaborate with Disability Rights Texas, Texas Center for Disability Studies, and Texas A&M Center on Disability & Development to obtain personal stories from individuals with developmental disabilities and their family members on the ways Medicaid services support them in their daily lives. These stories would be used to inform state and federal policy makers as well as the public about the ways changes to the Medicaid program would impact people with developmental disabilities.

**MOTION:** To recommend approval of no more than \$50,000 for one year, to support the DD Network Partners to gather personal stories from individuals with developmental disabilities and their family members on the impact of Medicaid services.

**MADE BY:** Gladys Cortez for the Project Development Committee. (motions from Committee do not need a second)

The motion **passed** without opposition. Amy Sharp and Meagan Sumbera abstained from voting. (Attachment 2)

Cortez next discussed the Future Funding Priorities document and noted that following the discussion of new executive summaries, it was agreed that the new projects would take funding priority over existing approved projects.

**MOTION:** To prioritize TCDD projects approved for funding in the following order:

1. DD Network Partners Collaborative: Impact of Medicaid Services and Supports
2. Local Leadership Development and Advocacy Training
3. Peer Support Specialists for Person Directed Planning
4. Support for Student Research-Related Expenses on Disability-Related Projects
5. DD Network Partners Collaborative: Alternatives to Guardianship and Supported Decision Making

**MADE BY:** Gladys Cortez for the Project Development Committee. (motions from Committee do not need a second)

The motion **passed** unanimously. (Attachment 3)

## 6. **Service and Support Animals**

Planning Director Cordry gave a presentation on the differences between service animals, emotional support animals and therapy animals. Members received information on Americans with Disabilities Act (ADA) protections for service animals, which are limited to dogs or miniature horses. The ADA does not offer protection for emotional support or therapy animals. The ADA allows service animals into business and other establishments

provided the animal does not cause a disruption. Business owners are only allowed to inquire 1) if the animal provides a service for a person with a disability and 2) what service the animal provides.

Chair Durham added that per Texas Association of School Board policy, service animals in schools can only be dogs and not miniature horses.

#### **7. Disproportionalities and Disparities Discussion**

Executive Director Stalvey briefly discussed the document on “Disconnected Youth” which is defined as individuals between the ages of 16 and 24 who are neither in school nor employed. The document provides data on different regions of Texas, race/ethnicity, and disabilities. Council members conducted separate discussions in the Public Policy and Project Development Committees. Public Policy Committee Chair Lora Taylor did not have further discussion.

Project Development Committee Chair Cortez reported that the Committee discussion turned to employment barriers that youth are faced with. She noted that Paula Brunson from Texas Workforce Committee described several programs and the acronyms representing those programs that were unfamiliar to many members. She reasoned that if Council members were unfamiliar with the programs it was likely that the general public would also be unfamiliar. Brunson discussed Community Work Incentive Coordinators (CWIC) and Subject Matter Utilization Resource Facilitators (SMURF) who are trained to assist individuals with disabilities who wish to work but still maintain Social Security and Medicaid benefits. Members were reminded of the TCDD project from the National Disability Institute on Understanding Employment Options and Supports which provides training on these topics.

Stalvey also reported on staff activities related to addressing disproportionalities and disparities. She noted that representatives from each of the Texas DD Network Partners will be attending the Leadership Institute for Cultural Diversity and Cultural and Linguistic Competency sponsored by Georgetown University in June 2017. Prior to the institute there is a significant amount of training that includes webinars, analysis, and writing assignments as well as state team meetings to discuss how disparities are addressed. Planning Director Cordry will also attend a separate session of the same institute as part of the NACDD board.

#### **8. Presentation: Texas Advocates**

Grants Management Specialist Wendy Jones introduced members from Texas Advocates who discussed their Self-Advocate Grassroots Community Organizing project. Project Coordinator Brooke Hohfield, Annessa Lewis and Chis Botello reported that transportation, affordable housing and availability community activities were the priorities among community groups. Texas Advocates partners with organizations such as the Arc of the Capital Area and the Austin Resource Center for Independent Living

(ARCIL). They are working with Cap Metro to make sure bus stops are accessible and increase the availability of MetroAccess — the para transit program. They have also addressed issues such as the weight of bathroom doors at Austin City Hall, which was corrected.

**9. Communications and Marketing Activities Report**

Communications Director Joshua Ryf provided updates on communications activities from the past quarter. He discussed social media campaigns related to the 85th Texas Legislature which reported on hearings and bill filings for legislation that would impact people with disabilities. He also reviewed the bill summaries that were featured on the TCDD website.

Ryf reviewed highlights of the #SideBySideTexas social media campaign in March including Council member involvement. He noted a new partner for 2017 was the Governor's Committee on People with Disabilities who assisted in obtaining a proclamation from Governor Abbott's office on DD Awareness Month.

Ryf reviewed various activities taking place from May through July and reminded members to share ideas, promote funding opportunities, recruit Council members, and encourage others to connect with TCDD via email and social media.

**10. Executive Committee Report**

Chair Durham reported continuation grant funding that was awarded during the Executive Committee meeting to:

- A. Texas Statewide Independent Living Council (Accessible Transportation Summits)
- B. Region 17 Education Service Center (Family Involvement in Schools)
- C. Family to Family Network (Leadership Development and Advocacy Training)
- D. National Disability Institute (Understanding Employment Options and Supports)

Seven event stipends and two speaker stipends were awarded this quarter.

The Committee approved 15 new individuals to the pool of potential Independent Review Panel members.

Operations Director Martha Cantu reviewed the quarterly financial reports and noted that administrative expenses for FY 2017 are on track for year-to-date expenditures.

The Executive Committee members did not express any concerns with the agency financial reports.

The Committee reviewed Conflict of Interest disclosures and no concerns were noted.

**11. Project Development Committee Report**

Project Development Committee Chair Cortez reported on Committee discussion of

projects planned to implement state plan activities. She noted that the Committee focused on ways to address State Plan Goal 3.4 “Support self-advocates and family members to participate in cross-disability, culturally diverse leadership coalitions each year.

**12. Public Policy Committee Report**

Public Policy Committee Chair Taylor reported on members’ discussion of state and federal policy activities. They discussed HHSC efforts to include people with disabilities on state boards and advisory groups. The Committee also discussed the American Healthcare Act, Medicaid Block Grants, Meaningful Day Activities, and Medically Dependent Children’s Program eligibility.

**13. State Agency Representatives Quarterly Activities Report**

Texas Center for Disability Services (TCDS) representative Amy Sharp reported on a University of Texas Graduate Degree program and the possibility of an undergraduate minor program in the area of Disability Studies. TCDS has added seven significant projects and has three additional applications for projects pending. She also reported that the Texas Office for Healthy Children (formerly Texas Office for Prevention of Developmental Disabilities) will now be administratively linked TCDS and there will be evaluation of programs from that office to determine future activities.

A&M CDD alternate representative Meagan Sumbera reported the recent graduation of 34 students from the Bridge to Career in Human Service program bringing the total to more than 100 graduates.

HHSC/Medicaid representative Jami Snyder reported on the enrollment to the STAR Kids program. More than 163,000 children have transitioned to the program with ten different Managed Care Organizations (MCOs).

HHSC/Older Americans Act representative Lisa Akers-Owen discussed eligibility for community care programs for individuals who do not financially qualify for Medicaid but still cannot afford private services. She also discussed the Texas Takes on Dementia project which partners with MCOs and non-profits to develop a training program to educate family members and service coordinators about the early signs of Alzheimer’s disease.

Paula Brunson from Texas Workforce Commission (TWC) reported on the successful transition of the vocational rehabilitation (VR) program from the Department of Assistive and Rehabilitative Services to TWC. She noted that the next step will be to combine VR and Blind Services into one Rehabilitation Services program.

Department of State Health Services (DSHS)/Title V/Maternal Child Health representative Rachel Jew reported that the Children with Special Health Care Needs



(CHSCN) Systems Development Group is recruiting interns for the summer and fall of 2017 to focus on community inclusion.

**14. Announcements and Updates**

Council members discussed dates and locations of future meetings of August 2–4, 2017 (Hilton Austin Airport), November 1–3, 2017, February 7–9, 2018 and May 2–4, 2018.

**Adjourn**

Council Chair Durham adjourned the meeting at 12:19 PM.

Beth Stalvey, Secretary to the Council      Date

## **Council Meeting Attachments to May 2017 Minutes**

- In a conservation effort, attachments to Council and Committee minutes are no longer printed and mailed with meeting materials.
- Attachments are included as part of the official record of the meeting.
- Attachments ARE included in the online versions of the minutes on the TCDD Web site. Minutes can be accessed along with all meeting materials at: [tcdd.texas.gov/about/meetings/2017-cncl-meetings/](http://tcdd.texas.gov/about/meetings/2017-cncl-meetings/)
- All attachments were included with the previous quarter's meeting materials.
- The minutes of the May 2017 Council meeting refer to three (3) attachment items:
  - [Executive Summary for Local Leadership and Advocacy Training project](#)
  - [Executive Summary for DD Network Partners Collaborative on the Impact of Medicaid Services](#)
  - [Future Funding Priorities list revisions](#)

## **COMMITTEE OF THE WHOLE May 4, 2017 — DRAFT MINUTES**

### Council Members Present

Mary Durham, Council Chair  
Hunter Adkins  
Lisa Akers-Owen, HHSC/Older Americans Act  
Kimberly Blackmon  
Paula Brunson,  
TWC/Vocational Rehabilitation  
Gladys Cortez  
Kristen Cox  
Stephen Gersuk  
Ivy Goldstein, DSHS/Maternal and Child Health  
Scott McAvoy  
Michael Peace  
Amy Sharp, UT CDS  
Meagan Sumner, A&M CDD  
Lora Taylor  
Richard Tisch  
John Thomas

### Council Members Absent

Kristine Clark  
Mateo Delgado  
Mary Faithfull, DRTX  
Ruth Mason  
Dana Perry  
Brandon Pharris  
Ron Roberts, TEA/IDEA  
Jami Snyder, HHSC/Medicaid  
David Taylor

### Guests Present

Jan Brown, JAS  
Isabel Evans  
Ted Johnson, JAS  
Alexandra Noble  
Mary Poole  
Rona Statman

### Staff Present

Beth Stalvey, Executive Director  
Martha Cantu  
Joanna Cordry  
Cynthia Ellison  
Danny Fikac  
Ashley Ford  
Radames Fuentes  
Linda Logan  
Jessica Ramos  
Joshua Ryf  
Koren Vogel

### **Call To Order**

The Committee of the Whole of the Texas Council for Developmental Disabilities convened on Thursday, May 4, 2017, in the San Gabriel Ballroom of the Sheraton Georgetown Texas Hotel and Conference Center, 1101 Woodlawn Avenue, Georgetown, TX 78628. Council Chair Mary Durham called the meeting to order at 9:34 AM.

#### **1. Introductions**

Council members, staff and guests introduced themselves. Chair Durham asked members to observe a moment of silence in honor of former Council member John Morris who passed away on April 3, 2017.

#### **2. Public Comments**

No public comments were offered.

#### **3. Presentation: Family Based Alternatives and Child Protective Services**

Public Policy Fellow Alexandra Noble presented information on efforts from EveryChild, Inc. to transition children with disabilities from institutions such as General Residential Operations and Intermediate Care Facilities to family settings. She described the collaborative work with the Department of Family and Protective Services to honor the

Promoting Independence Plan and provide Family Based Alternatives. This requires well-trained and supported families, resource coordinators, and funding sources such as Medicaid waiver programs. She noted that improvements are still needed to better track children with disabilities in the foster care system.

**4. Federal Affairs Update**

Executive Director Beth Stalvey provided a brief update on federal policies. She discussed appropriations and Developmental Disabilities Act funding to note that the agency is operating under a continuing resolution for FY 2017 funding and it is expected that funding at FY2016 levels will be allocated through the end of the 2017 fiscal year. Stalvey next discussed health care and proposed changes to the Affordable Care Act including Medicaid restructuring into “block grants”. She discussed education including the Supreme Court of the United States decision in “Endrew F. v. Douglas County School District” that provides definitions on minimum standards for appropriate education under the Individuals with Disabilities Education Act (IDEA) and the Every Student Succeeds Act noting that state plans to implement this legislation are due to the Department of Education by September 2017.

Stalvey concluded with changes to state implementation of home and community-based services initiative focused on community integration. Texas’ plan has not been submitted but the timeline for compliance has been extended.

**5. Round Table Discussion of Public Policy Priorities**

Members participated in four round-table discussions on the subjects of FY 2018 – FY 2019 Appropriations, Education, Employment, and Long-Term Services and Supports. Members reviewed pending legislation on each of these topics and discussed policy issues as well as TCDD grant projects related to each.

Following the small-group discussions, members convened in a large group to report on each topic. Discussions on the budget centered around proposed rate reductions for attendant care reimbursement and members viewed a video produced by the Arc of Texas that featured advocates talking about the impact of the rate reductions.

**Adjourn**

Council Chair Durham adjourned the Committee of the Whole at 1:45 PM.

Beth Stalvey, Secretary to the Council      Date